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Not Yet Assigned

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PATENT Attorney Docket No. 5354.02 Express Mail Label No. EL 779 729 251 US

Examiner:

Art Unit:

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

**MORENO** 

Serial No. 09/905,383

Filed: July 12, 2001

For: SYSTEM AND METHOD FOR REMOTELY

COORDINATING THE SECURE DELIVERY

OF GOODS

CERTIFICATE OF MAILING BY EXPRESS MAIL

Commissioner for Patents Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

- 1. Response to Notice to File Corrected Application Papers;
- 2. a copy of the Notice to File Corrected Application Papers;
- 3. First Preliminary Amendment;
- 4. 38 Sheets of Drawing;
- 5. Information Disclosure Statement; Form PTO 1449 and 2 References;
- 6. Certificate of Mailing by Express Mail; and
- 7. Return Acknowledgement Postcard,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EL 779 729 251 US with the United States Postal Service, addressed to Commissioner of Patents, Washington D.C. 20231, on this 23 day of October, 2001.

October 23, 2001

Jane Lalis DORSEY & WHITNEY LLP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of

Inventors:

Appl. No.

Moreno

09/905,383

Filed:

For:

July 12, 2001

Confirmation No.: 6103

Group Art Unit: 2166

Examiner: Not Yet Assigned

SYSTEM AND METHOD FOR REMOTELY COORDINATING THE

SECURE DELIVERY OF GOODS

## RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner of Patents Washington, D.C. 20231

Dear Sir:

This Response to Notice to File Corrected Application Papers is being submitted in response to the Notice to File Corrected Application Papers having a mailing date of August 30, 2001 (hereinafter "the Notice"). A copy of the Notice is enclosed as required.

The Notice requires substitute drawings in compliance with 37 CFR 1.84 and further indicates that Figure 7 O, described in the specification was omitted from the application. Accordingly, Applicant submits 38 pages of substitute drawings and a First Preliminary Amendment correcting the reference to Figures 7A – 7R to more correctly indicate Figures 7A – 7N and 7P - 7R. Applicant's attorney made a conscious decision to omit the reference "7O" to avoid any confusion with the number "70" in the application.

Attorney Docket No. 5354.02

## **REMARKS**

Applicant submits that the application is now in condition for allowance and respectfully requests that the application be passed to allowance. In the event the Examiner has questions or comments and a telephone conversation would expedite resolution of same, Applicant invites the Examiner to contact the undersigned attorney at (303) 629-3400.

Respectfully submitted,

Dated: Dot 23,2001

By: John T. Kennedy, Esq.

Reg. No. 42,717

Dorsey & Whitney LLP Customer No. 20686

Enclosures



### UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
WWW.USDfo.GOV

APPLICATION NUMBER FILI

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/905,383

07/12/2001

Eli Moreno

5354.02

20686 DORSEY & WHITNEY, LLP SUITE 4700 370 SEVENTEENTH STREET

DENVER, CO 80202-5647



CONFIRMATION NO. 6103
FORMALITIES LETTER
\*OC000000006497429\*

Date Mailed: 08/30/2001

#### NOTICE TO FILE CORRECTED APPLICATION PAPERS

### Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) Fig.7 O described in the specification.
- I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.
- II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.
- III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS <u>TWO MONTH</u> PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing



date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE